

PTO/SB/21 (6-98)

Approved for use through 09/30/2000, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/922;139
	Filing Date	August 3, 2001
	First Named Inventor	Blair Winner
	Group Art Unit	1661
	Examiner Name	n/a
Total Number of Pages in This Submission:	Attorney Docket Number	BAL6019P0331US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px;"> Response to Missing Parts, an executed Declaration and Power of Attorney document, a check in the amount of \$130.00, a cert. of mailing and return postcard. </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Lisa V. Mueller - GARDNER CARTON & DOUGLAS
Signature	
Date	February 11, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: February 11, 2002			
Typed or printed name	Carol E. Arellano		
Signature		Date	February 11, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$130.00

Complete if Known

Application Number	09/922,139
Filing Date	August 3, 2001
First Named Inventor	Blair Winner
Examiner Name	n/a
Group Art Unit	1661
Attorney Docket No.	P1580USA formerly BAL6019P0331US

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

07-0181

Deposit
Account
Name

Gardner Carton & Douglas

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR §§ 1.16 and 1.17

- ☐
- Applicant claims small entity status.
-
- See 37 CFR § 1.27

- 2.
- ☒
- Payment Enclosed:

- ☒
- Check
- ☐
- Credit card
- ☐
- Money
-
- Order
- ☐
- Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

Fee Paid

101 740 201 370 Utility filing fee

106 330 206 165 Design filing fee

107 510 207 255 Plant filing fee

108 740 208 370 Reissue filing fee

114 160 214 80 Provisional filing fee

SUBTOTAL (1)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** = 0	X	0.00
Multiple Dependent	-3** = 0	X	0.00

Large Entity Small Entity

Fee Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$) Code (\$)

Fee Description

103 18 203 9 Claims in excess of 20

102 84 202 42 Independent claims in excess of 3

104 280 204 140 Multiple dependent claim, if not paid

109 84 209 42 ** Reissue independent claims
over original patent110 18 210 9 ** Reissue claims in excess of 20
and over original patent

SUBTOTAL (2)

\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$) Code (\$)

Fee Description

Fee Paid

105 130 205 65 Surcharge - late filing fee or oath

130.00

127 50 227 25 Surcharge - late provisional filing fee or cover
sheet

139 130 139 130 Non - English specification

147 2,520 147 2,520 For filing a request for *ex parte* reexamination112 920* 112 920* Requesting publication of SIR prior to Examiner
action113 1,840* 113 1,840* Requesting publication of SIR after Examiner
action

115 110 215 55 Extension for reply within first month

116 400 216 200 Extension for reply within second month

117 920 217 460 Extension for reply within third month

118 1,440 218 720 Extension for reply within fourth month

128 1,960 228 980 Extension for reply within fifth month

119 320 219 160 Notice of Appeal

120 320 220 160 Filing a brief in support of an appeal

121 280 221 140 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,280 241 640 Petition to revive - unintentional

142 1,280 242 640 Utility issue fee (or reissue)

143 460 243 230 Design issue fee

144 620 244 310 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Processing fee under 37 CFR § 1.17(q)

126 180 126 180 Submission of Information Disclosure
Statement581 40 581 40 Recording each patent assignment per property
(times number of properties)146 740 246 370 Filing a submission after final rejection
(37 CFR § 1.129(a))149 740 249 370 For each additional invention to be examined
(37 CFR § 1.129(b))

179 740 279 370 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination
of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$130.00

SUBMITTED BY

Name Lisa V. Mueller

Registration No.
(Attorney/Agent)

38,978

Complete (if applicable)

Telephone

312-644-3000

Signature

Date

February 11, 2002

WARNING: Information on this form may become public. Credit card information should
not be included in this form. Provide credit card information and authorizationBurden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS
ORIGINALLY FILED

In re Application of: B. Winner

Examiner: n/a

Serial No.: 09/922,139

Group Art Unit: 1661

Filed: August 3, 2001

New Atty. Docket No. P1580USA (formerly
BAL6019P0331US)

Entitled: MARIGOLD HYBRID 50011

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box: MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

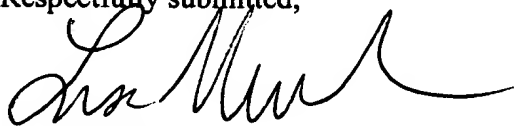
Dear Sir:

In response to the Notice to File Missing Parts mailed on January 7, 2002, enclosed are the following documents:

1. An executed Declaration and Power of Attorney document and
2. A copy of the Notice to File Missing Parts

A check in the amount of \$130.00 is enclosed for the requisite fee. Please charge any additional fee deficiencies or credit any overpayments to the Deposit Account of GARDNER CARTON & DOUGLAS, Account No. 07-0181.

Respectfully submitted,



Lisa V. Mueller
Reg. No. 38,978

Date: February 11, 2002

Attorney for the Applicant
GARDNER CARTON & DOUGLAS
321 N. Clark Street
Suite 3300
Chicago, IL 60610-4795
Ph: 312-644-3000
Fx: 312-644-3381
CH02/22171656.1



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Certificate of Mailing under 37 CFR § 1.8

I hereby certify that this Response to Missing Parts enclosures are being deposited on **February 11, 2002** with the United States Postal Services with sufficient postage as first class mail in an envelope addressed to:

BOX: MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Signature

Carol E. Arellano

Typed or printed name of person signing Certificate

For: MARIGOLD HYBRID 50011

Serial No.: 09/922,139

Enclosed:

1. Transmittal Sheet (1 pg.)
2. Fee Sheet (in duplicate)
3. Reponse to Missing Parts Letter (1 pg.)
4. Executed Declaration and Power of Attorney (2 pgs.)
5. A copy of the Notice to File Missing Parts (1 pg.)
6. Change of Correspondence Address (1 pg.)
7. Check No. 351402 in the amount of \$130.00 (1 pg.)
8. A return postcard

Attorney Docket No. P1580USA



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/922,139	08/03/2001	Blair Winner	BAL6019P0331US

01942
ROCKEY, MILNAMOW & KATZ, LTD.
TWO PRUDENTIAL PLAZA, STE. 4700
180 NORTH STETSON AVENUE
CHICAGO, IL 60601

CONFIRMATION NO. 7439

FORMALITIES LETTER



OC000000007272239

Date Mailed: 01/07/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

711 02
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/04/2002 EEKUBAY1 00000127 09922139

01 FC:105

130.00 OP